REMARKS

Drawings

Applicant appears to have attempted to submit amendments to the drawings showing a bin & a computer system with a website. Examiner objects to these drawings because they do not meet the standards required for patent drawings. They are of very poor quality. Furthermore, Fig 5 appears to be a screen print showing a computer – not only is it illegible; it does not describe the claimed invention. (A line drawing of the website would be more to the point.)

Applicant submits a replacement sheet for Fig. 5 as requested by the Examiner.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figs 4 & 5 are not tied into the specification. For instance, there is a discussion in the specification about putting tickets in a bin. This part of the specification should be amended to refer to bin (50). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet"

or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Applicant has amended the specification as requested by the Examiner.

Claim Rejections – 35 USC § 103

Claims 1-6, 9, 12, & 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuniewicz (US Patent Number 6,585,589) in view of Quinn (US Patent Number 3,688,276).

Claim 1: Okuniewicz teaches device for paying out a bonus (Col 1, 43-46) to a player playing a gaming machine. (Fig 1) There is a gaming machine (Slot Machine). The gaming machine obviously contains a processor for implementing a game of chance (including video poker) and paying off according to matching symbols. (Col 1, 20) There is a dispensing unit (Lottery Terminal). Since Okuniewicz teaches that the dispensing unit may dispense a ticket when a preset amount of coins are inserted (Col 3, 46-53), there must be a numeric counter for counting the number of coins placed in said gaming machine that counts coins until a ticket is generated. Okuniewicz does not teach visually displaying to the player the number of coins needed to generate a ticket or the number of coins inserted by the player. Nor does Okuniewicz teach resetting the counted coins to zero once a ticket is generated. These are common functions on virtually any modern vending machine.

The Examiner states that visually displaying the number of coins needed to generate a ticket, and resetting counter coins to zero once a ticket is generated is a common function to any modern vending machines. However, there has never been a gaming machine which contains a processor for implementing a game of chance which shows a player the number of coins needed to generate a ticket, number of coins inserted by the player, or resets the coin count to zero once a ticket is generated. Although this may be a common feature for someone buying a candy bar, this is not a common feature for a gaming machine.

Quinn, which is also a lottery ticket dispenser, teaches visually displaying to the player the number of coins needed to generate a ticket and the number of coins inserted by the player as well as resetting the counted coins to zero once a ticket is generated. (Fig 1) Such a visible meter allows the player to know how much money he must insert and how much money he has inserted. Clearing the counter lets the player know that if he wants another ticket, he has to put in more money. These features add to user convenience and are, as previously pointed out, extremely well known. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Okuniewicz in view of Quinn to visually display to the player the number of coins needed to generate a ticket and the number of coins inserted by the player as well as to reset the counted coins to zero once a ticket is generated in order to add to player convenience.

Quinn is a lottery ticket dispenser, i.e., a vending machine, and not a gaming machine. No one would think of putting the technology used in a gaming machine combining that with a vending machine.

Further, although the Examiner states that it would be obvious to modify Okunewicz in view of Quinn. Okunewicz specifically states that it does not want the player to know how many coins are needed to generate a ticket, but wants the ticket to be generated randomly. Therefore, adding the feature of counting the coins played and visually showing the user the number of coins needed to generate a ticket go against the teachings of Okunewicz.

Furthermore, a combination of prior art elements, each performing their normal functions in a predictable manner to yield a predictable result is obvious. In this case, Okuniewicz teaches a slot machine that dispenses a lottery ticket when a preset number of coins have been inserted into the machine. Quinn, which also dispenses a lottery ticket when a preset number of coins have been inserted into the machine, has a meter that displays the number of coins inserted and the number of coins remaining prior to dispensing a ticket. In the combination, Okuniewicz's slot machine/ticket dispenser works in its accustomed manner. Quinn's lottery ticket dispenser/coin meter work in it's accustomed manner. The combination of Okuniewicz and Quinn yield predictable results. The combination is therefore obvious.

Again, since Okuniewicz states that the dispensing of tickets is done randomly without showing the user the number of coins needed to generate a

ticket, it would go against the normal operation of Okuniewicz to show the user when a ticket is going to be generated since Okuniewicz teaches that this is random. Further, these features are not added for convenience but they are added as taught in the patent so that a user continues to play the machine to win their ticket.

Quinn teaches paying for a ticket at a vending machine. The coins entered must add up to a specified dollar amount before a ticket is dispensed. If the dollar value of the coins entered does not add up to the amount on the counter, the purchaser would be confused.

The present invention teaches a slot machine where a player watches a counter to get a promotional bonus ticket. The coins entered do not have to add up to a specific dollar amount for the slot player to understand when he will get a bonus ticket. For example; 9 quarters must add to $2.25 on the counter for Quinn, but for the present invention 9 quarters could add up to 9 on the counter and the player will understand. In fact, the present invention doesn't teach coin counting per se, rather it teaches the player to count slot machine plays or "pulses" as they are called in the industry. Every time a slot player pulls the handle on a slot machine, a pulse is recorded that tells the slot machine to spin the reels. Slot machines can take in 1 quarter and not register a pulse. The slot machine industry has a term called "Max Coin" that most, if not all regular slot players understand. What "Max Coin" means is that a player might have to play 3 coins at a time to be eligible for the bonus. Using the "Max Coin" the present

invention's counter would only go up in increments of 1 each time "Max Coin" is played because only 1 "pulse" of the slot machine is recorded even though 3 coins are placed in the machine. Therefore, if 9 coins are played in a machine and the player plays 3 times, the present invention's counter goes to 3. But if the slot player plays the 9 coins 1 at a time, recording 9 slot machine plays or "pulses", the present invention's counter will read 0 because the player did not play the "Max Coin" amount necessary to receive a bonus. Neither Okuniewicz or Quinn alone or in combination teach this.

For all of the above reasons, Claim 1 is not obvious over the prior art.

Claims 2-4: Okuniewicz teaches that the dispensing unit may be a retrofit unit for a slot machine (Col 3, 1-4). Okuniewicz teaches that the dispensing unit could be attached to the gaming machine externally (i.e., side-mounted) or mounted internally. (Col 4, 63-66)

For the reasons stated above for Claim 1, Claims 2-4 are not obvious over the prior art.

Claim 5: The gaming machine may include video poker machines (Col 3, 36-42). Video bingo games and video keno games are disclosed as equivalents.

For the reasons stated above for Claim 1, Claim 5 is not obvious over the prior art.

Claim 6: The dispensing unit is a self-contained unit that does not affect play or outcome of said gaming machine. (Col 4, 35-43)

For the reasons stated above for Claim 1, Claim 6 is not obvious over the prior art.

Claim 9: Okuniewicz dispenses lottery tickets. (Abstract)

For the reasons stated above for Claim 1, Claim 9 is not obvious over the prior art.

Claim 12: Claim 12 is a combination of claims 1, 5, & 9 with the addition of holding a drawing to determine a winner of said ticket – which is taught by Okuniewicz.

For the reasons stated above for Claim 1, Claim 12 is not obvious over the prior art.

Claim 16: Okuniewicz teaches the lottery ticket may be for the Big Game. In the Big Game, a bonus prize is generated from a percentage of total coins placed into all participating gaming machines (i.e., a percentage of money used to buy game tickets).

For the reasons stated above for Claim 1, Claim 16 is not obvious over the prior art.

Claim 17: Claim 17 is a subset of claim 1.

For the reasons stated above for Claim 1, Claim 17 is not obvious over the prior art.

Claim 19: It is extremely well known to. This practice has been followed in raffles and lotteries across the country (and probably around the world) for decades if not centuries. Applicant cannot even begin to imagine that he has

invented this method of conducting a lottery. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Okuniewicz & Quinn to include placing the entrant's name & address on a ticket & place the ticket in a bin for drawing in order to adopt an ***extremely*** old and well known method of conducting a lottery.

During an interview with the Examiner, the Examiner suggested the amendments shown in Claim 19. Also for the reasons stated above for Claim 1, Claim 19 is not obvious over the prior art.

Claims 7, 8, 11, 13, & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuniewicz and Quinn as applied to claim 1, 12 above, and further in view of Castellano et al. (US Patent Number 5,477952).

Claims 7, 13: Okuniewicz and Quinn teach the invention substantially as claimed. Both contain coin counters, but do not give details of the operation thereof. Okuniewicz bonuses a player based on number of coins played (Col 3, 51) but does not teach that the numeric counter counts coin pulses off of the gaming machine's hard meter. Castellano teaches the method of operation of the coin counters. Castellano teaches that the numeric counter (12) counts coin pulses off of the gaming machine's hard meter (52). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Okuniewicz and Quinn in view of Castellano to have the numeric counter count coin pulses off of the gaming machine's hard meter in order to carry out Okuniewicz and Quinn's suggestion to count the coins entered by the player.

For the reasons stated above for Claim 1, Claims 7 and 13 are not obvious over the prior art.

Claim 8: Okuniewicz and Quinn teach the invention substantially as claimed. Neither specifically discloses that the numeric counter can count various coin denominations. Castellano specifically teaches discloses that the numeric counter can count various coin denominations. Castellano specifically teaches discloses that the numeric counter can count various coin denominations. (Fig 1, 21-24) Allowing players to use more than one denomination makes it convenient for the player to put more money in the slot machine. This increases profits. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Okuniewicz and Quinn in view of Castellano to have the numeric counter can count various coin denominations in order to make it convenient for the player to put more money in the slot machine.

For the reasons stated above for Claim 1, Claim 8 is not obvious over the prior art.

Claims 11, 18: Okuniewicz teaches that the benefit of the device is the ability to change the criteria for generating a ticket. (Col 3, 1-9) The LIB is a remote unit (i.e., a separate module) for changing the number of coins necessary to generate said ticket.

For the reasons stated above for Claim 1, Claims 11 and 18 are not obvious over the prior art.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okuniewicz & Quinn as applied to Claim 20 and further in view of http://www.powerball.com.

Claim 20: Okuniewicz & Quinn teach the invention substantially as claimed, but fail to teach announcing the lottery results on a website. This is extremely well known in the art. The Powerball lottery results have been announced on a website since at least 28 January 1998. (See http:web.archive.org/wbe/19980128120719/www.musl.com/scripts/html.pl?powerball.ptm) Announcing the results of a lottery on a website provides a cost effective means of disseminating the results. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Okuniewicz & Quinn in view of http:///www.powerball.com to announce the lottery results on a website in order to have a cost effective way to disseminate the results.

For the reasons stated above for Claim 1, Claim 20 is not obvious over the prior art.

Results to Arguments

Applicant states that, "If the person plays the gaming machine enough, i.e., a random amount of times according to Okuniewicz, a ticket may be generated at some random point." This completely ignores the absolutely crystal clear disclosure in Okuniewicz that the machine may be set to issue a ticket

when a certain number of coins are inserted. (Col 3, 46-53) This has been explained to Applicant a number of times. Deliberate mischaracterization of the reference does not change the teachings of the reference, nor does it advance prosecution of the case. In the hope (perhaps vain) of putting this line of argument to rest once and for all, Examiner will quote the pertinent section from Okuniewicz:

> In the preferred embodiment, a standard electronic gaming device such as a slot machine or video slot machine would be used as the base unit for the implementation of the present invention, and examples of the events which might trigger the dispensing of a lottery ticket would include the hitting of a specific feel combination, ***a preset amount of coin in,*** a certain level of game play, or any other detectable electronic device event or series of events. (Emphasis added.)

This cannot be any clearer. Okuniewicz teaches that (in one embodiment), if a player puts in a preset number of coins (i.e., a preset amount of coin in), the machine will dispense a lottery ticket. This is ***precisely*** what Applicant's invention does. The only difference between Okuniewicz's invention and Applicant's is a coin meter. Quinn provides the coin meter.

Applicant agrees with the Examiner and has never argued that Okunewicz teaches dispensing a ticket when a preset amount of coin is inserted into the game. What applicant means by being random is that the player does not know what this number is and therefore the player randomly puts coins in and at a certain number of coins a ticket is dispensed. In the present invention, the player knows by the coin counter how many coins have been inserted into the game and how many more coins are necessary to put into the game in order to

have a ticket dispensed. Therefore the prior art does not teach in combination what is taught by the claims of the present invention.

Applicant believes that the application is now in condition for allowance.

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